



# BRP WP62

## Determination of Acceptability for the Use of Septic System Additives or Soil Absorption System Conditioners/Restoratives and Approval of Septic Tank Tee Filters Instructions and Supporting Materials

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### Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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#### 1. What is the purpose of this determination or approval?

This determination is necessary to ensure that the disposal of sanitary sewage through the use of an on-site subsurface sewage disposal system is performed in an environmentally acceptable manner. This determination is required for the use of any septic system additive or soil absorption system conditioner/restorative. These products are physical, chemical, or biological treatment processes. This determination is also required for the use of any septic tank effluent tee filter.

For septic system additives, conditioners and restoratives, the DEP review will focus solely on preventing harm to the systems and the environment, *not* on the efficacy (or lack thereof), of the product. This review is designed to protect the public health, welfare, and the environment through the control of pollutant discharges onto or into the ground.

For septic tank effluent tee filters the DEP review requires that, at a minimum, the proposed tee filter meets the applicable Title 5 requirements and criteria of 310 CMR 15.227 Placement and Construction of Tees.

Statutory authority for this permit is stated in MGL Chapter 21A Section 13. Regulatory authority for this permit is stated in 310 CMR 15.000.

#### 2. Who must apply?

Any person, as defined in 310 CMR 15.002, proposing the use of any septic system additive, soil absorption system conditioner/restorative is required to obtain prior written approval from DEP in accordance with 310 CMR 15.027 & 15.028.

Any person proposing the use of a septic tank effluent tee filter required to obtain prior written approval of DEP under 310 CMR 15.289.

If this category does not apply to you, please be advised this is not the only permit category for Title 5 systems. Please consult regulations 310 CMR 4.00, 310 CMR 15.00, 314 CMR 4.00 and 5.00 to determine whether another category may apply to you.

#### 3. What other requirements should be considered when applying for this variance?

##### a) What prerequisites should be considered before applying?

- Studies detailing any previous use of the additive, conditioner/restorative or effluent tee filter should be submitted to the DEP for review.
- Certain additives, conditioner/restoratives and effluent tee filters may have been previously approved by DEP. For a list of those approved, please visit the DEP website at [www.state.ma.us/dep](http://www.state.ma.us/dep).

##### b) What concurrent applications are related to this determination?

- Local Board of Health regulations may apply.



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**Note:** This information about additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** additional requirements.

Other variances are granted by the local approving authority and/or DEP pursuant to 310 CMR 15.000. Consult the guidance for other variances under BRP WP 59b and BRP WP 59c. These other variances are not included in this category.

#### 4. What is the application fee?

The application fee is \$930.

#### 5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:  
Department of Environmental Protection (2 copies)  
Title 5 Permitting Program

There is no Reserve Copy Location for this variance.

#### 6. What are the timelines?

BRP WP62 applications are subject to the following timelines:

- **Administrative Completeness Review**

Within 30 days of receipt of an application and payment of the permit application fee the Department shall complete an administrative completeness review.

- **Technical Review**

Within 90 days of making a determination of administrative completeness, the Department shall complete technical review.

- **Technical Deficiency**

If technical deficiencies are identified, the applicant may remedy the discrepancy within 90 days of the Department's statement identifying such errors. Failure of the applicant to respond within this time may result in the application being deemed withdrawn.

- **Supplemental Technical Review (only if needed)**

Within 90 days of receipt of materials from the applicant in response to the Department's statement identifying deficiencies, if any, the Department shall complete supplemental technical review.

- **Public Comment Review**

There is no public comment review period for this permit.

#### 7. What is the annual compliance fee?

There is no annual compliance fee for this category.

#### 8. How long is this determination or approval in effect?

These determinations and approvals remain valid as long as the system and facility served remain unchanged, or until DEP revokes or modifies the determination or approval.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection – Title 5 Permitting

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#### **Permit Fact Sheet**

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**9. How can I avoid the most common mistakes made in applying?**

- a. Review the application to be sure all questions are answered correctly. The submitted application must have an original signature in ink.
- b. Attach all available data, studies, and formal approvals and denials from other jurisdictions.
- c. Submit \$930 Application Fee with DEP Transmittal Form to:

**Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211**

**10. What are the regulations that apply? Where can I get copies?**

These regulations include, but are not limited to:

- a. Title 5 Regulations, 310 CMR 15.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State House Bookstore  
Room 116  
Boston, MA 02133  
617-727-2834

State Bookstore  
436 Dwight Street, Room 102  
Springfield, MA 01103  
413-784-1376

DEP Regulations also are available at DEP's web site: [www.state.ma.us/dep](http://www.state.ma.us/dep).

☐ The DEP Transmittal Form is completed.

☐ A DEP application form for the permit category BRP WP 62 has been completed. The following information has been provided:

☐ The BRP WP62 application form has been completed with the following information provided:

- Name and address of applicant/owner.
- All available data, studies, and approvals and denials from other jurisdictions.
- Studies detailing previous use of the additive, conditioner/restorative or effluent tee filter are attached

To submit the application package:

☐ Ensure that all checklist items have been completed.

☐ Send two copies of the application along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection  
Title 5 Permitting Program  
One Winter Street, 6<sup>th</sup> Floor  
Boston, MA 02108

☐ *Send fee of \$930 in the form of a check or money order payable to the Commonwealth of Massachusetts, along with a copy of the DEP Transmittal Form, to:*

Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection – Title 5 Permitting

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**Determination of Acceptability for the Use of Septic System  
Additives or Soil Absorption System Conditioners/  
Restoratives and Approval of Septic Tank Effluent Tee  
Filters**

## A. General Information

1. Type of approval:

☐ Septic System Additive

☐ Soil Absorption System  
Conditioner/Restorative

☐ Effluent Tee Filter

2. Applicant Information:

Legally Responsible Official

Company Name

Organizational Structure, i.e. corporation, partnership, etc.

If corporation, state where incorporated

Street/PO Box

City/town

State

Zip code

Telephone Number

e-mail address

Fax Number

3. Contact Information:

Contact person

Company name

Street Address/PO Box

City/town

State

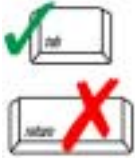
Zip code

Telephone Number

e-mail address

Fax Number

**Important:**  
When filling out  
forms on the  
computer, use  
only the tab key  
to move your  
cursor - do not  
use the return  
key.



## B. Product Seeking DEP Approval

1. Name:

Name of Additive, Conditioner/Restorative, or Effluent Tee Filter

**On the following pages, complete items 2 – 9 only if seeking approval for additives,  
conditioners or restoratives.**

**Complete items 10 – 15 if seeking approval for effluent tee filters.**



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### B. Product Seeking DEP Approval (cont.)

2. Additive/Conditioner/Restorative – physical, chemical, biological agents:

For additives, conditioners/restoratives list all physical, chemical, biological, or other agents which make up the additive or conditioner/restorative and provide toxicity information for each component (provide MSDS if possible).

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☐ Check if MSDS is provided

3. Additive/Conditioner/Restorative – Anticipated Use:

Describe the anticipated use of the additive or conditioner/restorative in system. Include in the description where and how the product is to be applied, the frequency of applications, who will perform the applications, and the amount/concentration of product per application (attach documents as needed).

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### **B. Product Seeking DEP Approval (cont.)**

4. Additive/Conditioner/Restorative – Chemical action:

Describe how the additive, conditioner or restorative works to benefit the system (attach documents as needed).

5. Additive/Conditioner/Restorative – Reactions and Byproducts:

List all known reactions and byproducts produced by the use of the additive or conditioner/restorative including the product's effect on bacteria (attach documents as needed).

6. Additive/Conditioner/Restorative – Projected Limitations:

Provide any known or projected limitations on the use of the additive, conditioner, or restorative (attach documents as needed).

7. Additive/Conditioner/Restorative – Evidence of Performance:

Provide evidence which demonstrates that use of the additive or conditioner/restorative as proposed in Question #3, will not result in violations of 314 CMR 4.00, Surface Water Quality Standards, and/or 314 CMR 6.00, Groundwater Quality Standards.





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### **B. Product Seeking DEP Approval (cont.)**

8. Additive/Conditioner/Restorative – Studies:

Provide any studies done on the use of the additive or conditioner/restorative to support the responses provided above.

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9. Additive/Conditioner/Restorative – Approvals or Acceptances:

Attach any formal approvals or other acceptances from other jurisdictions for use of the additive or conditioner/restorative in on-site systems. Attach copies of any disapprovals or denials.

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**Complete items 10 – 15 only if seeking approval for effluent tee filters**

10. Effluent Tee Filter, Anticipated Use:

For effluent tee filters, describe their anticipated use in a system. Include in the description the different models of effluent tee filters for which approval is requested, where and how the effluent tee filter is to be installed and who would perform installation.

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### B. Product Seeking DEP Approval (cont.)

#### 11. Effluent Tee Filter – Operation:

Describe how the effluent tee filter works to benefit the system (attach documents as needed).

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#### 12. Effluent Tee Filter – Limitations:

Provide any known or projected limitations on the use of the effluent tee filter (attach documents as needed).

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#### 13. Effluent Tee Filter Studies:

Provide any studies done on the use of the effluent tee filter to support the responses provided above and to demonstrate the product's safety (lack of harm) to the system components and functioning. Include monitoring reports/data from systems in use (if available).

Is testing or performance data available for the filter? ☐ Yes ☐ No

If yes, indicate source of data and attach copies

☐ Other states ☐ Independent third parties ☐ Other



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### B. Product Seeking DEP Approval (cont.)

14. Effluent Tee Filter Approvals/Denials

Has use of the effluent tee filter been approved or denied in other states?

☐ Yes - Please attach copies of state approval or denial letters      ☐ No

15. Effluent Tee Filter Operation & Maintenance Requirements – Attach appropriate plans and manuals.  
Use additional sheets if necessary.

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### C. Certification

"I certify under penalty of law that this document and all attachments, to the best of my knowledge and belief, are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

\_\_\_\_\_  
Name of applicant

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Name of preparer

\_\_\_\_\_  
Date